



Work is underway to stabilise the stream banks of Ourimbah Creek, near Lees Bridge in Berkeley Vale to reduce sediment in the creek and lakes. The work is part of the Tuggerah Lakes Estuary Management Plan and is designed to improve the water quality and ecology of the lakes. Wyong Shire Mayor, Doug Eaton (*second from the left*) recently visited to the site, with Council's Estuary Management Acting Manager David Ryan, Catchment Maintenance Team Leader Matthew Barnett and Construction Ganger Paul Cogdon.

Business Paper

ORDINARY MEETING

22 June 2011



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MEETING NOTICE

**The ORDINARY MEETING
of Wyong Shire Council
will be held in the Council Chamber,
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 22 JUNE 2011 at 5.00 pm,
for the transaction of the business listed below:**

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

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2 CONFIDENTIAL ITEMS

9.1	Response to the confidential draft Report of the Section 430 Investigation into Wyong Shire Council dated May 2011
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3 QUESTIONS ON NOTICE ASKED

At the conclusion of the meeting and at the discretion of the Mayor, Council may meet with staff in an informal, non-decision making mode for a period of no more than 30 minutes.

Michael Whittaker
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2011/00027 - D02630311

AUTHOR: Monica Redmond; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

That Councillors now disclose any conflicts of interest in matters under consideration by Council at this meeting.

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2011/00027 - D02630325

AUTHOR: Monica Redmond; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

SUMMARY

No inspections have been scheduled for July 2011.

Briefings proposed for this meeting and future meetings to be held in the Wilfred Barrett and Tim Farrell Committee Rooms:

Date	Briefing	Description	Time	Presented by
22 June 2011	RTA Proposed Works	The RTA has placed on exhibition the intersection of the Highway and Wyong Road. It closes for comment on 29 June	12.00-12.30pm	Principal Transport Engineer/RTA Central Coast Manager
22 June 2011	CCROC items	CCROC meeting 30 June (currently on Draft agenda) items to be considered; Consolidation Discussion Paper, Central Coast Water Corporation – Appointment of Directors, Central Coast Airport.	12.30-1.00pm	Michael Whittaker, General Manager
22 June 2011	Lakes beach eco tourism feasibility	In response to Q5/11 - update on site & future use	1.00-1.30pm	Manager Business Development
22 June 2011	Economic Development Agreements	Overview of Council's economic development objectives with external groups – including the Mariners Sponsorship and BEC Agreement.	1.30-2.00pm	Director Corporate Services/Manager Finance
22 June 2011	Detail matching fund guidelines and framework	Following community engagement, presentation of final guidelines for Community Matching Fund	2.00-2.30pm	Manager Community Services
22 June 2011	Ausgrid	This briefing involves attendance by staff from Energy Australia as a result of Council's request. It presents an opportunity for councillors to question the staff to better understand the options residents may have to contain their energy bills.	2.30 - 3.00pm	Director Infrastructure Management / Ausgrid representatives.
22 June 2011	Strategic Plan	Final briefing on The Wyong Shire Council Strategic Plan.	3.00-3.30pm	Director Corporate Services

A full list of Councillor Briefings for 2011 was adopted by Council at its meeting on 9 February 2011. The latest version of Briefings for 2011 list is available upon request to the General Manager's office.

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings and endorse the recommended inspections and briefings.

ATTACHMENT

- 1 Updated Briefing Schedule 2nd, 3rd & 4th Quarters 2011 - 22 June 2011 D02647306

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
3rd quarter	13-Jul	Engagement Strategy	Community & Recreation Services	Sue Ledingham
3rd quarter	13-Jul	The Entrance Town Centre Masterplan	Environment and Planning Services	Paul Bowditch/Stephen Ashton
3rd quarter	13-Jul	Shire-wide Heritage Review	Environment and Planning Services	Consultant David Scobie
3rd quarter	13-Jul	DCP Chapter 14 Tree Management	Environment and Planning Services	Martin Johnson / Peter Kavanagh
3rd quarter	13-Jul	Chinese Cultural Village	Corporate Services	external presenters
3rd quarter	27-Jul	Skills Centre	GM's Unit	Danielle Dickson Major Projects
3rd quarter	27-Jul	Social Enterprise Plan for Central Coast	Corporate Services	Garry McLachlan/Graham Baker(Enterprise Connect)
3rd quarter	27-Jul	Wyong Civic & Cultural Masterplan	Environment and Planning Services	Paul bowditch / Gary Hamer
3rd quarter	27-Jul	Community Feedback and Complaint Management Policy (Draft)	Legal And Risk GM's Unit	Belinda Charlton
3rd quarter	27-Jul	Vision and Values	Corporate services	Dom
3rd quarter	27-Jul	NSW Taxi Council and the Central Coast Taxis	Infrastructure Management	Bob Burch
3rd quarter	24-Aug	Q4 Annual Plan and Budget	Corporate Services	Cate Trivers
4th Quarter	26-Oct	Central Coast Sports field Management Strategy	Community & Recreation Services	Brett Sherar / Keith ollier
4th Quarter	09-Nov	Learning Community Strategies	Community & Recreation Services	Julie Vaughan
4th Quarter	23-Nov	Q1 Annual Plan and Budget	Corporate Services	Cate Trivers

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
4th Quarter	14-Dec	Community Facilities Strategy	Community & Recreation Services	Julie Vaughan
3rd quarter	Aug	Plan of Management Central Coast Caravan Parks	Community & Recreation Services	Tara Mills
3rd quarter	Aug	Present information on traditional custodians of lands and acknowledgement of country	Community & Recreation Services	Julie Vaughan
3rd quarter	Aug	Provide update of plans and financial viability of The Art House and Cultural Development	Community & Recreation Services	Julie Vaughan
3rd quarter	Aug	Wyong Loyalty card	GM's Unit	GM's Unit
3rd quarter	Aug	Enterprise Risk Management	Legal And Risk	Jeff Simpson
4th Quarter	October	Code of Conduct revision training	Corporate Services	Jeff Simpson
3rd quarter	Sept	Precinct 7A Masterplan - Feedback following exhibition	Environment and Planning Services	Scott Duncan / Jenny Mewing
3rd quarter		*The Entrance, Wyong & Toukley Town Centre management agreements	Corporate Services Environment & Planning Services	Greg Ashe/ Paul Bowditch
3rd quarter		*Climate Change Adaptation Report – March 2011.	Environment and Planning Services	Karen Douglas
3rd quarter		*CCRF	GM's Unit	Jane Hanlon contact CCRF Wej Paradise

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
3rd quarter		Ausgrid- 4g	Infrastructure Management	4g TBC
3rd quarter		Greenhouse Mitigation Plan/Green Energy Funds Projects - May 2011	Environment and Planning Services	David Irving
3rd quarter		Iconic Development Sites DCP & Current Proposals	Environment and Planning Services	Paul Bowditch
3rd quarter		RZ/7/2009 Chittaway Point Rezoning	Environment and Planning Services	Martin Johnson/Kathryn Heintz
3rd quarter		Sustainability Update (Policy, Framework, Principles Review)	Environment and Planning Services	Karen Douglas
3rd quarter		The Entrance Town Centre Masterplan	Environment and Planning Services	Paul Bowditch/Stephen Ashton
3rd quarter		Tuggerah Town Centre Masterplan	Environment and Planning Services	Paul Bowditch / Lynda Howson
3rd quarter		Sea Level Rise Notification & 149 Certificate	General Counsel/Environment and Planning Services	Brian Glendenning
3rd quarter		Desalination	Infrastructure Management	Garry Casement
3rd quarter		Lower Ourimbah Creek Floodplain Risk Mgt Strategy	Infrastructure Management	Rob Fulcher / Lara Critchley
3rd quarter		Tuggerah Lakes Floodplain Risk Mgt Plan	Infrastructure Management	Rob Fulcher / Lara Critchley

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
3rd quarter		Tumbi Creek Floodplain Risk Mgt Plan	Infrastructure Management	Rob Fulcher / Lara Critchley
4th Quarter		Review of Grants	Community & Recreation Services	Julie Vaughan
4th Quarter		Committee structure	Corporate Services	Lesley Crawley
4th Quarter		Councillor attendance at formal dinners	Corporate Services	(check minutes for wording)
4th Quarter		Biobanking	Environment and Planning Services	David Lemcke / Tricia Bancroft, Communications Manager, Biobanking Unit
4th Quarter		Biodiversity Management Plan	Environment and Planning Services	Greg White
4th Quarter		Comprehensive LEP	Environment and Planning Services	Martin Johnson
4th Quarter		DCP 113 – Flood prone Land	Environment and Planning Services	Martin Johnson / Rod Mergan
4th Quarter		DCP 2011	Environment and Planning Services	Martin Johnson
4th Quarter		DCP 97 - Water Sensitive Urban Design	Environment and Planning Services	Martin Johnson / Peter Kavanagh
4th Quarter		Development Control Plan 61 – Car parking	Environment and Planning Services	Martin Johnson / Michael Conroy

PROPOSED QUARTER	PROPOSED DATE	AAA Briefing Title	Director	STAFF PRESENTING
4th Quarter		Draft Shire-Wide Contributions Plan	Environment and Planning Services	martin Johnson
4th Quarter		Draft Wyong Employment Zone contributions plan	Environment and Planning Services	Martin Johnson
4th Quarter		Natural Resources Strategy	Environment and Planning Services	Greg White / David Lemcke
4th Quarter		RZ/17/2009 Bundeena Road, Glenning Valley	Environment and Planning Services	martin Johnson/Kathryn Heintz
4th Quarter		Settlement Strategy	Environment and Planning Services	Scott Duncan / Jenny Mewing
4th Quarter		The Entrance, Wyong and Toukley Town Centre Masterplan	Environment and Planning Services	Paul Bowditch / Stephen Ashton
4th Quarter		Wyong Employment Zone – Results of exhibition of DCP & S94 Contributions Plan / Biocertification update, DCP amendment update	Environment and Planning Services	Martin Johnson / Scott Duncan
4th Quarter		Wyong town centre planning proposal and car parking study	Infrastructure Management	Bob Burch

1.3 Address By Invited Speakers

TRIM REFERENCE: F2011/00027 - D02630421

AUTHOR: Monica Redmond; Administration Assistant

MANAGER: Lesley Crawley, Manager Corporate Governance

SUMMARY

There have been no requests to address the Ordinary Meeting at the time of printing the Business Paper.

RECOMMENDATION

That Council receive the report on Invited Speakers.

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2011/00027 - D02630350

AUTHOR: Monica Redmond; Administration Assistant

MANAGER: Lesley Crawley; Manager Corporate Governance

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting held on 8 June 2011.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting held on 8 June 2011.

ATTACHMENTS

1 Minutes of Council's meeting of 8 June 2011 D02638875

WYONG SHIRE COUNCIL**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 8 June 2011
COMMENCING AT 5:01 PM**

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, L A Matthews, E M McBride, J J McNamara, W R Symington, D P Vincent, L D Webster and S A Wynn.

IN ATTENDANCE

General Manager, Director Environment and Planning Services, Director Infrastructure Management, Acting Director Corporate Services, Director Community and Recreation Services and General Counsel.

Manager Place Management, Manager Roads and Stormwater, Senior Development Planner and two Corporate Governance staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.01 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

Councillor Graham delivered the opening prayer and Councillor Matthews read the acknowledgment of country statement.

- * Councillor Matthews presented to Council a framed Certificate of Appreciation and Cap from Soldiers Beach Surf Life Saving Club.
- * Councillor McBride presented to Council copies of a book titled "Play the Game - History of Kanwal Public School" compiled by Greg Tunn for the 2011 Centenary of Kanwal Public School.
- * Councillor Symington spoke about a seminar that he recently attended presented by Mark Freedman titled "Planning for Community Outcomes."

The General Manager, Michael Whittaker announced that Bronwyn Rumbel, Manager Economic and Property Management is leaving Wyong Shire Council after 18 years service to take up a role at Cessnock City Council. The General Manager commented on Bronwyn's achievements during her time at Council and wished her all the best in the future.

The Acting Director Corporate Services, Cate Trivers thanked Bronwyn for being a valuable part of David Jack's team and her contribution to the planning processes over the years and wished Bronwyn a great life and successful career at Cessnock.

Councillor Graham added that Bronwyn has been a great supporter of the Mariners over the past 6 years and look forward to see her at the games.

Councillor Vincent commented that over the past three years that he has known Bronwyn that she has always been helpful and efficient in her dealings with Councillors.

APOLOGIES

There were no apologies.

All reports were dealt with in their correct agenda sequence.

1.1 Disclosures of Interest

4.1 - DA 736/2010 - Proposed Residential Flat Building at The Entrance - Application to the Joint Regional Planning Panel

Councillor Eaton declared a non-pecuniary significant interest in the matter for the reason that he is a member of the Joint Regional Planning Panel (JRPP) determining this application, left the chamber at 6.02 pm, took no part in discussion did not vote and returned to the chamber at 6.04 pm.

Director Environment and Planning declared a non-pecuniary insignificant conflict of interest in the matter for the reason that, she is a Council representative on the Joint Regional Planning Panel (JRPP).

Ms Vereker stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I have declared an interest to the JRPP with respect to this application and will not sit on the Panel on the basis that I may need to answer questions to the Council meeting."

Councillor Symington declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is an alternate member on the Joint Regional Planning Panel (JRPP).

Councillor Symington stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I am an alternate member on the Joint Regional Planning Panel."

5.6 - Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that, she is a volunteer for 2261 Out of the Box Inc.

Councillor Matthews stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I don't have any voting rights."

6.3 - Impact of the Power Industry on Lake Macquarie, Lake Munmorah and Lake Budgewoi

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 7.42 pm, took no part in discussion, did not vote and returned to the chamber at 7.57 pm.

7.1 - Notice of Motion - Closure of Coal Fired Power Station at Lake Munmorah

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 7.59 pm, took no part in discussion, did not vote and returned to the chamber at 8.07 pm.

8.3 - General Manager's Performance Appraisal

Michael Whittaker declared a pecuniary interest in the matter for the reason that this matter relates to his employment contract, left the chamber at 8.16 pm, took no part in discussion, did not vote and returned to the chamber at 8.34 pm.

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor MCNAMARA:

That Council receive the report on Disclosure of Interest and note advice of disclosures.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.2 Proposed Inspections and Briefings

Councillor McBride left the meeting at 5.15 pm and returned to the meeting at 5.16 pm during consideration of this item.

Councillor Matthews left the meeting at 5.33 pm and returned to the meeting at 5.36 pm during consideration of this item.

A MOTION was MOVED by Councillor MCNAMARA and SECONDED by Councillor WEBSTER:

- 1 That Council receive the report on Proposed Inspections and Briefings note the inspections and briefings.*
- 2 That Council reschedule the briefings on the Shirewide Heritage Review and DCP Chapter 14 Tree Management to be held on Wednesday, 13 July 2011 with two hours allocated for the heritage review and one hour allocated for the tree management review.*
- 3 That Council reschedule an Extraordinary Meeting on 13 July 2011 to deal with the reports and recommendations on these two items together with other regular business items.*

AN AMENDMENT was MOVED by Councillor WYNN and SECONDED by Councillor MATTHEWS:

- 1 That Council receive the report on Proposed Inspections and Briefings note the inspections and briefings.*

- 2 That Council reschedule the briefings on the Shirewide Heritage Review and DCP Chapter 14 Tree Management to be held on Wednesday, 13 July 2011 with two hours allocated for the heritage review and one hour allocated for the tree management review.

Councillor Vincent gave notice of a Foreshadowed Amendment.

The AMENDMENT was put to the VOTE and declared LOST on the casting vote of the Mayor.

FOR: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON, VINCENT AND WYNN
AGAINST: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA AND WEBSTER

Councillor Vincent withdrew his intention of a Foreshadowed Amendment.

RESOLVED on the motion of Councillor MCNAMARA and seconded by Councillor WEBSTER:

- 1 That Council receive the report on Proposed Inspections and Briefings note the inspections and briefings.
- 2 That Council reschedule the briefings on the Shirewide Heritage Review and DCP Chapter 14 Tree Management to be held on Wednesday, 13 July 2011 with two hours allocated for the heritage review and one hour allocated for the tree management review.
- 3 That Council reschedule an Extraordinary Meeting on 13 July 2011 to deal with the reports and recommendations on these two items together with other regular business items.

The MOTION was put to the vote and declared CARRIED on the casting vote of the Mayor.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA AND WEBSTER
AGAINST: COUNCILLORS MATTHEWS, MCBRIDE, SYMINGTON, VINCENT AND WYNN

Leave of Absence

Leave of absence from the Extraordinary Council meeting of 13 July 2011 meeting was sought from Councillors Wynn and Matthews.

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor GRAHAM:

That Council grant leave of absence to Councillors Wynn and Matthews for the Extraordinary Council meeting of 13 July 2011 meeting.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.3 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor GRAHAM:

That Council confirm the minutes of the previous Ordinary Meeting held on 25 May 2011 with the following correction:

U24/11 – Motion of Urgency – Changes to State Solar Rebate

Councillor Wynn advised that the figure moved in the first motion should have stated 110,000 residents and not 11,000 as was stated.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

Business Arising

There was no business arising.

2.1 Mayoral Minute - Attendance at Leaders of Local Government Workshop "Local Government - Destination 2036"

RESOLVED unanimously on the motion of Councillor EATON:

- 1 That Council authorise the attendance of the Mayor and General Manager at the "Local Government – Destination 2036" workshop at Dubbo on 17 and 18 August 2011.**
- 2 That Council meet reasonable expenses incurred in their attendance at the above workshop.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

2.2 Mayoral Minute - Central Coast Rugby Union Championships

Councillor Best left the meeting at 5.54 pm and returned to the meeting at 5.55 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor EATON:

- 1 That Council underwrites the bid for the 2012 Country Rugby Union Championships to the value of \$10,000 provided that Gosford City Council also contributes \$10,000 to underwriting the event.
- 2 That Council's support is conditional upon Central Coast Rugby Union recognising Council on promotional material, pamphlets and signage.
- 3 That Council develop a Central Coast Events strategy in partnership with Central Coast Tourism and Gosford City Council during the upcoming financial year.
- 4 That Council report on funding opportunities for the NSW State Age Netball Championships in 2012.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.1 Notice of Intention to Deal with Matters in Confidential Session

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor WEBSTER:

- 1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2)(a, c, d & g) of the Local Government Act 1993:

Report no 8.1 – Electricity Contract Arrangements from 1 July 2011

Report no 8.2 – Woongarah Waters Development – Water Quality Credit

Report no 8.3 – General Manager's Performance Appraisal

- 2 That Council note its reason for considering Report Nos 8.1, 8.2 and 8.3 confidential session is that it contains:

Report no 8.1

- (d) *commercial information of a confidential nature that would, if disclosed:*
 - (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the Council, or*
 - (iii) *reveal a trade secret,*

Report no 8.2

- (c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*

- (g) *advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*

Report no 8.3

- (a) *personnel matters concerning particular individuals (other than Councillors),*

3 That Council request the General Manager to report on this matter in open session of Council.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN
 AGAINST: NIL

The Mayor, Councillor Eaton vacated the chair and Councillor Graham assumed the Chair for consideration of this item.

4.1 DA 736/2010 - Proposed Residential Flat Building at The Entrance - Application to the Joint Regional Planning Panel

Councillor Eaton declared a non-pecuniary significant interest in the matter for the reason that he is a member of the Joint Regional Planning Panel (JRPP) determining this application, left the chamber at 6.02 pm, took no part in discussion, did not vote and returned to the chamber at 6.04 pm.

Director Environment and Planning declared a non-pecuniary insignificant conflict of interest in the matter for the reason that, she is a Council representative on the Joint Regional Planning Panel (JRPP).

Ms Vereker stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I have declared an interest to the JRPP with respect to this application and will not sit on the Panel on the basis that I may need to answer questions to the Council meeting."

Councillor Symington declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is an alternate member on the Joint Regional Planning Panel (JRPP).

Councillor Symington stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I am an alternate member on the Joint Regional Planning Panel."

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor MCNAMARA:

That Council receive the report on DA 736/2010 - Proposed Residential Flat Building at The Entrance - Application to the Joint Regional Planning Panel.

FOR: COUNCILLORS BEST, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN
 AGAINST: NIL

The Mayor, Councillor Eaton resumed the Chair.

4.2 Contract CPA/197275 - Cabbage Tree Harbour, Toe Drainage Structure

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor GRAHAM:

- 1 That Council receive the report on Contract CPA/197275 Cabbage Tree Harbour Toe Drainage Structure.**
- 2 That Council approve a project budget of \$2,476,000 (excluding GST) to complete construction of the Toe Drainage Structure as designed by WorleyParsons (Issue For Construction Drawings, 13699 dated 01/06/2011) including a \$220,000 (15%) contingency.**
- 3 That Council contact the Office of Environment and Heritage requesting additional grant funding to the amount of \$260,774 in 2011/2012.**
- 4 That Council approve additional funds of \$774,519 to meet the current shortfall.**
- 5 That Council consider the funding source as part of the September budget review.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.1 Request to Close Walkway between Scribbly Gum Close and Northlakes Shopping Centre Car Park San Remo

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor MCNAMARA:

- 1 That Council endorse the closure of the pedestrian walkway between Scribbly Gum Close and Coles Supermarket Car Park San Remo.**
- 2 That Council advise residents and neighbouring schools and businesses in the immediate area of the decision.**
- 3 That Council expedite the closure of the walkway as quickly as possible.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

SUSPENSION OF ORDER OF BUSINESS

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor MCNAMARA:

That Council use the exception method to deal with the balance of the Agenda.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VINCENT:

That with the exception of report numbers 5.2, 5.4, 5.5, 5.8, 6.2, 6.3, 6.4, 7.1, 7.2 and 8.3 Council adopt the recommendations contained in the remaining reports.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.2 Sustainable Event Management Policy

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor VINCENT:

1 That Council receive the report on a Sustainable Event Management Policy.

2 That Council adopt the Sustainable Event Management Policy.

3 That Council grant delegation for future amendments to the policy to the General Manager.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.3 The Art House, Wyong Shire Performing Arts and Conference Centre Logo Design Competition Winner

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VINCENT:

- 1 That Council accept The Art House Logo Design Competition Judging Panel's recommendation that the winning prize be awarded to Logo 1 and the two runner up prizes (including The Children's Entry) be awarded to Logo 2.
- 2 That Council resolve to adopt Logo 1 as The Art House, Wyong Shire Performing Arts and Conference Centre logo.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.4 Vandalism of The Entrance Ocean Baths

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Councillor BEST:

- 1 That Council receive the report on Vandalism of The Entrance Ocean Baths.
- 2 That Council continue to monitor the levels of anti social behaviour and vandalism at The Entrance Ocean Baths.
- 3 That Council apply for a grant to fund the installation of a CCTV camera at The Entrance Ocean Baths.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.5 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2011-12

Councillor Graham left the meeting at 7.04 pm and returned to the meeting at 7.05 pm during consideration of this item.

It was MOVED by Councillor VINCENT and SECONDED by Councillor MATTHEWS:

That Council decline to implement the recommend determination made by the Local Government Remuneration tribunal to raise Councillor and Mayoral fees by 4.2% in the 2011-12 financial year as a contribution to reducing Council's current deficit of \$17.9m.

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS MATTHEWS, MCBRIDE, AND VINCENT

AGAINST: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA, SYMINGTON, WEBSTER AND WYNN

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor WYNN:

- 1 ***That Council implement the determination made by the Local Government Remuneration Tribunal in respect of Councillor and Mayoral fees.***
- 2 ***That Council set the annual Mayoral Fee at \$56,250 for the period 1 July 2011 to 30 June 2012.***
- 3 ***That Council set the annual Deputy Mayoral fee at \$8,033.98 for the period 1 July 2011 to 30 June 2012.***
- 4 ***That Council reduce the paid annual Mayoral Fee by \$8,033.98 to fund the annual Deputy Mayoral fee.***
- 5 ***That Council reduce the paid annual Mayoral Fee by \$1,840.39 for use of the Mayoral Motor Vehicle.***
- 6 ***That Council set the Annual Councillor Fee at \$21,170 for the period 1 July 2011 to 30 June 2012.***
- 7 ***That Council invite interested Councillors to surrender any increase or indeed their full allowance to assist with the deficit reduction.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.6 Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant conflict of interest in the matter for the reason that, she is a volunteer for 2261 Out of the Box Inc.

Councillor Matthews stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because I don't have any voting rights."

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VINCENT:

That Council allocate an amount of \$5,800 from the 2010-11 Councillors' Community Improvement Grants as outlined in the report.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.7 Regional Waste Collaboration

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VINCENT:

- 1 That Council receive the report on Regional Waste Collaboration between Wyong Shire Council and Gosford City Council.
- 2 That Council endorse WSC and GCC continuing to work together to explore and provide regional waste programs to the Central Coast community.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.8 Proposed 'Adopt a Drain' Program

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor WYNN:

- 1 That Council implement an 'Adopt a Waterway' volunteer program using the existing resources of the Landcare program commencing 2011/12 financial year.
- 2 That Council develop a procedure that captures the water quality monitoring data collected by volunteer groups, with assistance from the Central Coast Environmental Network.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.1 Information Reports

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VINCENT:

That Council receive the information reports and adopt the recommendations with the exception of report numbers 6.2, 6.3 and 6.4.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.2 Mardi to Mangrove Link Project Status

Councillor McNamara left the meeting at 7.41 pm during discussion of this item and as a result did not vote.

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor GRAHAM:

That Council receive the report on Mardi to Mangrove Link Project Status.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.3 Impact of the Power Industry on Lake Macquarie, Lake Munmorah and Lake Budgewoi

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 7.42 pm, took no part in discussion, did not vote and returned to the chamber at 7.57 pm.

Councillor McNamara returned to the meeting at 7.43 pm during consideration of this item.

Councillor Matthews left the meeting at 7.47 pm and returned to the meeting at 7.49 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor WYNN:

- 1 That Council receive the report on Impact of the Power Industry on Lake Macquarie, Lake Munmorah and Lake Budgewoi.**
- 2 That Council request the Office of Environment and Heritage for a copy of the 2010 Lake Munmorah Power Station annual return.**
- 3 That staff report their recommendations to Council on locations / sites of potential interests for inspection at the upcoming Council site inspection of the Lake Munmorah Power Station.**
- 4 That Council request a further report on the type and discharge of pollutants into water bodies of these power stations preferably by an external expert.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, WEBSTER AND WYNN

AGAINST: NIL

6.4 Wyong LEP 2012 - Zoning for Infrastructure

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor BEST:

That Council receive the report on Wyong LEP 2012 - Zoning for Infrastructure.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.5 Outstanding Questions without Notice and Notice of Motions

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VINCENT:

That Council receive the report on Outstanding Questions without Notice and Notice of Motions.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENTJ, WEBSTER AND WYNN

AGAINST: NIL

7.1 Notice of Motion - Closure of Coal Fired Power Station at Lake Munmorah

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity left the chamber at 7.59 pm, took no part in discussion, did not vote and returned to the chamber at 8.07 pm.

RESOLVED unanimously on the motion of Councillor WYNN and seconded by Councillor BEST:

That Council reiterate its position requesting the closure of the coal fired power station at Lake Munmorah as soon as practicably possible.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, WEBSTER AND WYNN

AGAINST: NIL

7.2 Notice of Motion - Approvals at Gwandalan and Catherine Hill Bay by the Planning Assessment Commission

RESOLVED on the motion of Councillor WYNN and seconded by Councillor VINCENT:

1 That Council write to the NSW Premier and the Minister for Planning and Infrastructure with regard to the recent approval under Part 3A of the developments at Gwandalan and Catherine Hill Bay by the Planning Assessment Commission:

- a Condemning the decision of the previous government to approve the development.**
- b Requesting a meeting with the Member for Swansea Gary Edwards MP and the Member for Lake Macquarie Greg Piper MP to ask for their assistance in returning the development to the relevant Councils for determination of implementation of the decision.**
- c Outlining its concerns regarding the number of lots retained and the fact that the approval was issued prior to the finalisation of the relevant Development Control Plan.**

2 That Council be advised of the current status of the proposed Coal and Allied Part 3A application and request that application be returned to Council for determination.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA, SYMINGTON, WEBSTER AND WYNN

AGAINST: COUNCILLORS MATTHEWS, MCBRIDE AND VINCENT

QUESTIONS ON NOTICE

Q16/11 Status Report on Delay in Purchasing Relocatable Security Cameras
Councillor Symington
F2004/07937

“Can staff provide a status report on the delay in purchasing the relocatable security cameras, previously approved by Council resolution, in the ongoing fight against graffiti?”

Q17/11 Warnervale Road Upgrade
Councillor Vincent
F2004/07773

“Could staff please advise when Warnervale Road will be upgraded to allow traffic to traverse the road during heavy rain periods.”

Q18/11 Weight Limits for Trucks at Virginia, Minnesota and Warnervale Roads
Councillor Vincent
F2007/00343

“Could staff please advise what actions can be taken to limit heavy and overweight trucks from using Virginia Road, Minnesota Road and Warnervale Road as there is a 3.6 tonne limit on these roads?”

CONFIDENTIAL SESSION

At this stage of the meeting being 8.17 pm council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:

8.1 – Electricity Contract Arrangements from 1 July 2011

The reason for dealing with the report confidentially is that it contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

8.2 - Woongarra Waters Development - Water Quality Credit

The reason for dealing with the report confidentially is that it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

8.3 - General Manager's Performance Appraisal

The reason for dealing with the report confidentially is that it contains personnel matters concerning particular individuals.

OPEN SESSION

Council resumed in open session at 8.34 pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

8.1 Electricity Contract Arrangements from 1 July 2011

- 1 *That Council endorse the proposed arrangements for the supply of electricity from 1 July 2011.*
- 2 *That the General Manager accept the Offer from Energy Australia to supply electricity to large sites by the closing date of 15 June 2011.*

8.2 Woongarra Waters Development - Water Quality Credit

- 1 *That Council receive the report on Woongarra Waters Development - Water Quality Credit.*
- 2 *That Council endorse the actions of the General Manager in negotiating a positive outcome to this matter.*
- 3 *That Council authorise the General Manager to execute a Deed of Agreement covering the negotiated outcome.*

8.3 General Manager's Performance Appraisal

- 1 *(Confidential Resolution – see note below).*
- 2 *(Confidential Resolution – see note below).*
- 3 *(Confidential Resolution – see note below).*

NOTE: THE PRECISE DETAIL CONTAINED IN THIS RESOLUTION IS WITHHELD IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL GOVERNMENT ACT AND IS NOT AVAILABLE FOR RELEASE AT THIS TIME.

THE MEETING closed at 8.36 pm.

1.5 Notice of Intention to Deal with Matters in Confidential Session

TRIM REFERENCE: F2011/00027 - D02551056

AUTHOR: Susanna Gardiner; Administration Assistant

MANAGER: Lesley Crawley, Manager Corporate Governance

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

RECOMMENDATION

- 1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2e) of the Local Government Act 1993:**
 - 8.1 Response to the confidential draft Report of the Section 430 Investigation into Wyong Shire Council dated May 2011**
- 2 That Council note its reason for considering Item No 8.1 in confidential session is because it contains information that would, if disclosed, prejudice the maintenance of law should the discussions be held in a non-confidential environment.**
- 3 That Council request the General Manager to report on this matter in open session of Council.**

Note: Explanation - Section 10A of the Local Government Act 1993 states, in part, as follows:

10A Which parts of a meeting can be closed to the public?

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
- (2) (e) information that would, if disclosed, prejudice the maintenance of law,

2.1 Adoption of the Community Strategic Plan (2030)

TRIM REFERENCE: F2010/01472 - D02625658

AUTHOR / MANAGER: Daniel Smith; Manager Integrated Planning

SUMMARY

This report requests Council's consideration and adoption of the updated Community Strategic Plan following the public exhibition of the draft Community Strategic Plan (2030).

RECOMMENDATION

- 1** *That Council consider the submissions made in respect of the Draft Community Strategic Plan (2030).*
- 2** *That Council adopt the Community Strategic Plan (2030) as exhibited plus the changes detailed in this report.*

BACKGROUND

The Division of Local Government requires that all councils formulate a "Community Strategic Plan" (the Plan) in partnership with their community.

Council adopted its first community plan entitled "*Wyong Shire Strategic Vision: Our Shire Our Future (SSV)*" during September 2009.

The SSV emphasised that Council had a number roles in the development and achievement of the community including:

- Facilitation,
- Integration,
- Communication/engagement and
- Working to achieve the Vision.

It also highlighted the need for others, such as the State government and the community itself, to assist in achieving the Vision over the next 20 years. The current SSV complies with statutory requirements.

In August, 2010 Council, resolved to revise the SSV in accordance with Recommendation 2.5 of the Service Delivery Review which states in part:

"Review all elements of the Integrated Planning Program including the:

- *Shire Strategic Vision...."*
- *To ensure alignment with this Service Delivery Review and Council's enriched sustainability principles...."*

A draft Community Strategic Plan was formulated and adopted by Council for consultation with the community via the statutory exhibition process.

CURRENT STATUS

The exhibition period has been completed – two submissions were received. Council now is required to make a final determination to adopt the Plan.

Submissions

A total of 2 submissions were received during the exhibition. An acknowledgment was sent to submitters which also kept them informed of the process. The submissions raised issues as shown in Attachment 1.

THE PROPOSAL

It is proposed that Council adopt the new Community Strategic Plan that builds on the extensive and valuable work done with the community to establish the former Strategic Vision.

The Plan includes :

- 1 Reinforcement of the four basic Principles and the eight Priority Objectives of the original document that the Community and Council at the time believed should be addressed over the next 20 years in order to achieve the best future quality of life.
- 2 Confirmation of the direction established by the original Vision and a reaffirmation of its relevancy in providing the best current direction for the Community, Council and State government
- 3 Identification of Council intended contribution to the activities and outcomes described in the Plan
- 4 Identification of who in the community is responsible to achieve each of the Plan's 51 strategies.
- 5 Guidance to ensure that major projects and capital works undertaken by Council, do not proceed in the future unless, among other requirements, they clearly meet criteria that deliver the Community's Priority Objectives while maintaining essential services.
- 6 A detailed sustainability framework with particular reference to the Plan's "Principles of Sustainability".
- 7 New strategies for actions that will greatly assist in achieving the community's Priority Objectives 1, 3 and 6.
- 8 Council's very significant responsibility for supplying the community with diverse essential services that meet basic community needs and that no other organisation or group should, can or is willing to provide (e.g. sewage services, waste collection, information, regulatory services etc.).
- 9 The Plan's relationship with the State Plan 2010.
- 10 A standardisation of terminology.

Changes to draft Plan.

Along with minor typographical amendments and improved wording, the following significant changes to the draft Community Strategic Plan (2030) as exhibited are proposed:

- 1 The title page has been amended to clearly display that this Plan is designed to extend to the year 2030 and that the update was done in 2011. (p. 1)
- 2 The full text of Council's seven Sustainability Principles as approved has been included following the review carried out in accordance with Council's Service Delivery Review. Reference to sustainability principles has been increased throughout the document. (p. 11)

STRATEGIC LINKS

Wyong Shire Council Strategic Plan

The Community Strategic Plan has been directly acknowledged in the Plan and the WSC Strategic Plan as the driver for Council's activities and contributions to the community.

Financial Implications

The Community Strategic Plan (2030) clearly lays out the community's priority objectives that, if pursued collectively, will likely lead to the best quality of life in the long run. It has far-reaching financial indications as to how the community and government should be prioritising their expenditure.

Principles of Sustainability

Proposed revisions to the exhibited draft Community Strategic Plan (2030) include a significant enhancement of the exhibited Principle of "sustainability". Through this document the Community adopted sustainability principles that previously only related to Council activities and programs. The revised Community Plan includes the full wording of sustainability principles that arose out of Council's Service Delivery Review in late 2010.

CONSULTATION

Exhibition Results

The draft of Community Strategic Plan (2030) was exhibited for four weeks from 4 May until 1 June, 2011 simultaneously with the Wyong Shire Council Strategic Plan (2011-2015). Exhibition was carried out in keeping with an approved Community Engagement Strategy that included:

- A series of advertisements in local papers,
- A Factsheet explaining the Plan (providing a response form for ease of submission)
- Exhibition displays at Council's head office and all libraries
- A hard copy of the draft Plan was sent to each member of the Community Liaison Committee that greatly assisted in formulation of the original document during 2008-2009

- Letters to all Precinct Committees/Chambers of Commerce/Progress Associations (informing them of the exhibition and providing a CD of the document)
- Electronic exhibition of the document on Council's website with links from Council's Facebook site
- Posters used in exhibition
- Three public presentations, as requested, by Precinct Committees and other public groups.

In addition, relevant staff were briefed on the exhibition.

Staff at Gosford City Council and the Division of Local Government were consulted during the exhibition period to ensure that the process met State government requirements and as far as practicable provided a consistent approach for the Central Coast.

It is of note that the Gosford City's Community Strategic Plan was adopted while Wyong's revised document was on exhibition.

GOVERNANCE

Formulation, review and updating of a Community Strategic plan are both a legal requirement and best practice for local government throughout New South Wales. It is the foundation on which the integrated planning framework is built.

CORPORATE RISKS

The lack of a comprehensive strategic plan for the Shire has previously been an "extreme" corporate risk on Council's Risk register prior to formulation of the original Shire Strategic Vision.

While the Community Strategic Plan has been formulated to serve the community, risks still arise for Council if it is not reviewed and updated to reflect the best strategies and directions for achieving the community's priority objectives. In the future, a lack of consideration of the community's priorities runs the risk of ongoing ad hoc programs and unfocused expenditure.

The clear allocation of responsibilities for the various strategies and objectives in the Plan reduces the risk of required outcomes not being achieved.

CONCLUSION

The draft Community Strategic Plan has been exhibited and two submissions received.

Amendments arising from submissions are proposed in the revised Plan for adoption by Council primarily relating to a significant clarification of the principles of sustainability.

The revised Plan is forwarded for adoption by Council.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Table 1 - Issues arising from Exhibition | D02646399 |
| 2 | Community Strategic Plan (2030) (Doc No. D02647484
Distributed under separate cover) | Enclosure |

Table 1: Issues Arising From Exhibition

Sub. No.	Page No. & Section	Issues	Action Proposed	Comment
1	10 Principles	<ol style="list-style-type: none"> 1. Downgrading of sustainability principles 2. Sustainability Framework (Diagram (p. 11) is excellent and should remain 3. Revert to the original sustainability wording 	<ol style="list-style-type: none"> 1. Sustainability principles have been expanded to include the full text and upgrade the sustainability framework throughout the document 2. Diagram retained 3. No change proposed (NCP) 	The exhibited draft Plan included an abridged version of Council's 6 sustainability principles that arose from a review of them recommended in the Service Delivery Review. The new sustainability definitions proposed to be used in the amended draft are not the original wording, but incorporate the latest terminology.
2	NA Priority Objectives	<ol style="list-style-type: none"> 1. There is little reference to heritage preservation within the draft Plan 2. Wyong should have a dedicated Heritage Area and special nominated sites 3. There should be a Shire Committee for greater involvement of volunteer cultural groups 	<ol style="list-style-type: none"> 1. NCP 2. NCP 3. NCP 	<p>While preservation of our built heritage is important, it was not incorporated into the eight Priority Objectives by the wider community.</p> <p>There is no proposal to form a Heritage Committee in Council.</p>

2.2 Submissions to the Wyong Shire Strategic Plan (2011-2015) (consideration)

TRIM REFERENCE: F2010/01472 - D02640892

AUTHOR: Daniel Smith; Manager Integrated Planning

SUMMARY

This report provides details of submissions made during public exhibition of the Wyong Shire Council Strategic Plan (2011-2015) (the Plan) for consideration by Council prior to any further consideration of the Plan.

RECOMMENDATION

- 1** *That Council receive the submissions listed herein concerning the Draft WSC Strategic Plan (2011-2015).*
- 2** *That Council consider all submissions before the final Plan is adopted.*
- 3** *That Council adopt proposed amendments to the WSC Strategic Plan (2011-2015) arising from the submissions received as detailed in this report prior to its final consideration of the Plan.*

BACKGROUND

At its meeting on 27 April 2011 Council considered a draft of its first comprehensive corporate strategic plan entitled "Wyong Shire Council Strategic Plan (2011-2015) (the Plan). The draft Plan was formulated in keeping with Chapter 13, pt 2 of the *Local Government Act 1993* (the Act) and the new State Government Division of Local Government guidelines for integrated planning and reporting.

Note that under recent amendments to the Act, Wyong Shire Council has been gazetted a "Group 3" council which means that Council will fully implement the new integrated planning regime on 1 July 2012. As a Group 3 Council, Wyong can use the new integrated planning based format for the Plan but is required to publicly exhibit the draft document in accordance with the previous requirements for the Management Plan.

At its meeting on 27 April 2011 Council resolved in part:

- " That Council place the Draft Wyong Shire Council Strategic Plan 2011/15 (the Draft Plan) on public exhibition.*
- 2** *That Council receive submissions from the community concerning the Draft Plan for consideration and possible inclusion in the final plan to be adopted by Council in June 2011..."*

The draft Plan was exhibited for four weeks from 4 May until 1 June, 2011. Exhibition was carried out in keeping with an approved Community Engagement Strategy that included:

2.2 Submissions to the Wyong Shire Strategic Plan (2011-2015) (consideration) (contd)

- A series of advertisements in local papers,
- Exhibition displays at Council's head office and all libraries,
- A Factsheet explaining the draft Plan (providing a response form for ease of submission) distributed at all exhibitions, as well as at presentations to community groups and staff,
- Letters to all Precinct Committees/Chambers of Commerce/Progress Associations (informing them of the exhibition and providing a CD of the document)
- Electronic exhibition of the document and Factsheet on Council's website with links from Council's Facebook site,
- Posters used in exhibition and
- 3 public presentations, as requested, by Precinct Committees and other public groups.

In addition, relevant staff were briefed on the exhibition and open forums held to keep staff fully informed of the draft documents.

SUBMISSIONS

A total of 37 public submissions were received using a variety of formats including:

- letters,
- e-mails,
- form letters
- the response form included with the Factsheet and
- library "Comments, Complaints and Compliments" Forms.

Councillors have been provided with a copy of every submission received – as an enclosure.

When contact details were provided, an acknowledgment was sent to the submitter which also kept them informed of the process.

Submissions raised a number of different issues, suggestions and in some cases comments of support. The vast majority of submissions received raised concerns with rising rates, fees or charges in particular relating to:

- Increase in various library charges (most notably book reservation fees),
- Increase in Child Care fees,
- Increased rates for the proposed new "Business Major Retail" rate subcategory and
- Increase rates for "Mining" rate category

Some submission applauded the efforts of Council in compiling this landmark Plan.

A summary of issues arising in public submissions and the proposed action arising with respect to the draft Plan is shown in Attachment 1 and Attachment 2 lists the details of each submission received.

2.2 Submissions to the Wyong Shire Strategic Plan (2011-2015) (consideration) (contd)

In addition to written submissions received in a variety of forms, telephone conversations with residents of Dooralong Valley indicated concern with the proposal to extend the Stormwater Management Charge to properties rated "Residential" west of the freeway.

No written submissions were received regarding this issue. No change to the draft is proposed as it was originally included to achieve a fairer distribution of the Stormwater Management Charge throughout the Shire.

Proposed Changes to the Plan Arising From Submissions

In summary, the proposed changes to the exhibited draft Plan arising from submissions include:

- Extension of the exhibition period next year and incorporating it into a number of regional "Council Services Showcases".
- Amendment of the draft Plan to better reflect formation of the Central Coast Water Corporation.
- Correction of a number of typographical, drafting and formatting errors raised by the public.

CONSULTATION

Community consultation was in accordance with an approved Community Engagement Strategy. This engagement and all submissions received during the public exhibition period are the subject of this report.

In addition to Community consultation, formulation and adoption of Council's first integrated Strategic Plan required extensive consultation with Councillors, Council staff and the community. In addition, Council staff, staff at Gosford City Council and the Division of Local Government were consulted during the exhibition period to ensure that the process met State government requirements and as far as practicable provided a consistent approach for the Central Coast.

GOVERNANCE

Exhibition of the first WSC Strategic Plan (2011-2015) is an important step in ensuring good governance based on an integrated planning framework. It provides an additional avenue for transparency and community input into Council's detailed corporate planning. As such, it serves as an essential component of good governance as a basis for corporate management that responds to the needs and visions of our growing community.

CORPORATE RISKS

Exhibition of the Plan reduces corporate risks arising from business directions not be aligned with community needs and direction. At the same time, it requires careful review of all submissions to ensure that the final critical decisions give preference to the overall community good when weighing up any advantages arising from suggestions made in submissions.

CONCLUSION

2.2 Submissions to the Wyong Shire Strategic Plan (2011-2015) (consideration) (contd)

Council has exhibited the draft plan in accordance with an extensive Community Engagement Strategy incorporating many different communication methods to ensure that as far as practicable the community had the opportunity for careful review and effective input during the four week exhibition period.

Submissions received generally raised concerns regarding Council's proposed rates and charges from those individuals or businesses most directly impacted by cost increases.

Submissions however, did not provide a substantial argument for improvement or major changes to the exhibited Plan.

Suggestions for improving the plan process and community consultation are noted for inclusion in next year's strategic planning program. No changes other than word adjustments, correction of errors, clarification of points of uncertainty and correction of typographical errors are recommended arising from submissions.

Amendment of the draft Plan as outlined in this report is proposed prior to Council considering the final Wyong Shire Council Strategic Plan (2011-2015) for adoption.

ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | Table Summary of Submission Issues Arising from Exhibition | D02642687 |
| 2 | Confidential - Submissions received relating to Exhibition WSC Strategic Plan (2011-2015) (D02646106 - Distributed under separate Cover) | Enclosure |

Table 1: Summary of Submission Issues Arising from Exhibition

Page & Item Number	Issue	No. Of Subm's referring to the Issue	Action Proposed* *note: NCP = No Change Proposed	Comment
Fees & Charges				
p. 223	Submission raised concerns with the increase in rates and their financial impact on specific shopping centres which will fall under the new proposed "Business Major Retail" rate subcategory.	4 objections	NCP	The proposed revised rates constitute some of the lowest (per m2 land area) for major retail developments in the greater Sydney area. Submissions were from major retail centres and commented that they believed that Council had not been fair in their selection of specific major retail premises.
p. 223	Increased rates for the "Mining" rates category.	2 objections	NCP	Submissions were from operating mines that commented that they believed that Council was financially impacting mines that supplied coal to power stations on fixed contracts where they had not been able to benefit from the mining boom.
p. 223	Increased rates generally	1	NCP	No comment
p. 257, Item 2.02	Increase in library book reservation fees	14 objections	NCP	The fees amended from \$1.40 to \$3.00 which will enable increased recovery of the cost of identifying, transporting and supplying a reserved book.
p. 257, Item 2.04	Increase in library fees for photocopying	1 objection	NCP	Submission wrongly interpreted the proposed fees. Photocopy fees are proposed to decrease in 2011/12.
p. 257, Item 2.05	Increase in library fees to purchase discarded books	2 objections	NCP	The cost to purchase discarded books is proposed to decrease in 2011/12.
p. 257, Item 2	Increase in any library charges	1	NCP	Council reviewed its fees and charges with a view to balancing its service to the community while achieving a higher degree of cost recovery for library services. Even with the proposed fee increases, library services will continue to be subsidised.
p. 285, Item 25	Increase in Child Care Fees	10 objections	NCP	Eight of the submissions were a form letter. The cost of providing this service does not match income generated from fees. Council subsidises this service. The draft Plan proposes to progressively reduce the level of subsidy, but Council will

Page & Item Number	Issue	No. Of Subm's referring to the Issue	Action Proposed* *note: NCP = No Change Proposed	Comment
				continue to run childcare services as "not for profit".
p. 286, Item 25	Increase in Child Care Vacation Care Fee	1 objection	NCP	See comment above
p. 260, Item 7.01	Increase in hire fees for Tony Sheridan Function room	1 objection	NCP	Council reviewed its fees and charges with a view to balancing its responsibilities to the community through adequate cost recovery for use of its facilities and equitable community access.
Drafting & Exhibition Process				
NA	Congratulations to Council for producing a comprehensive report	2 support	NA	Noted
NA	Increase the exhibition period of the draft Plan	1 objection	Propose increase in exhibition period to six weeks next year	Noted for action next year
NA	Raising concern that no public meeting was held	1 objection	Several regional Council "Services Showcases" are proposed next year coinciding with exhibition of draft Plan	A public meeting during exhibition is not required. In a letter to all Precinct committees, Chambers of Commerce and Progress Associations it was stressed that Council staff were available for presentations and to discuss issues at community groups/forums on request. This led to 3 public presentations to interested groups.
p. 103	Congratulations for introduction of Capital Works program maps	1 Support	NA	Introduction of Capital Works Maps was suggested by Councillors.
p. 104 to 121	Request that criteria for the assets and capital expenditure needs to have community involvement	1 objection	NA	The Criteria were exhibited with the updated Community Strategic Plan (p. 37). These included addressing community need, local and regional identity, availability and access, self-sufficiency, connectivity and linkages and future options. No submissions to that document raised the criteria or proposed

Page & Item Number	Issue	No. Of Subm's referring to the Issue	Action Proposed* *note: NCP = No Change Proposed	Comment
				amendments.
p. 104 to 121	Suggested Capital Works projects	1 suggestions	NCP	The list is currently being reviewed and feedback will be provided back to the applicant as to those elements included in those not in the propose Capital Works projects.
NA	Feel that the whole process has been a waste of ratepayers money	1 objection	NCP	Formulation of the Plan is a legal requirement and an essential part of good corporate management.
Water Corporation				
p. 125	Support in principle for establishment of the Central Coast Water Corporation	1 support	NA	Noted.
p. 57 to 59	Principal Activities 9 & 10 in draft Plan do not reflect establishment of the Water Corporation	1 objection	Plan amended to reflect CCWC formation	CCWC incorporated into Principal Activities 9 & 10
p. 125	Request for public exhibition of the cost benefit report for the establishment of the CCWC	1	NA	This matter will be addressed by both Councils and the CCWC on the completion of the cost benefit report.

2.3 Adoption of the Wyong Shire Council Strategic Plan (2011-2015) (incorporating the Annual Plan and 4 Year Delivery Plan)

TRIM REFERENCE: F2010/01472 - D02625649

AUTHOR: Daniel Smith; Manager Intergrated Planning

SUMMARY

This report presents the Wyong Shire Council (WSC) Strategic Plan (2011-2015 (the Plan) for Council's consideration and adoption.

RECOMMENDATION

- 1 That Council adopt the WSC Strategic Plan (2011-2015) subject to the changes proposed in this report (including Attachments) being incorporated.**
- 2 That Council approves the estimates of income and expenditure as detailed in this report and the Plan.**
- 3 That Council set the rate and charge rebates to pensioners for the year 2011-2012 in accordance with the relevant legislation and Council policy.**
- 4 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of The Entrance Town Centre Management:**
 - a All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb know as The Entrance.**
 - b All land used as Major Facilities servicing tourists including Service Stations, Camp or Caravan Sites, Registered Clubs, Tourist Accommodation and Hotels/Motels as defined in Council's current Local Environmental Plan (LEP) and District Shopping Centres as defined in Council's current Retail Strategy in the suburbs known as The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach, Bateau Bay and Magenta.**
 - c All land used as rental accommodation and which is categorised as Residential under Section 516 of the Local Government Act, 1993 which is rented or leased for periods of three months or less in the suburbs known as The Entrance North, The Entrance, Blue Bay and Toowoan Bay.**
- 5 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Greater Toukley Vision:**
 - a All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburbs known as Toukley, Canton Beach, Noraville and Norah Head.**

6. ***That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Wyong-Tuggerah Chamber of Commerce:***
- a ***All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as Watanobbi.***
- b ***All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as Wyong, bounded by the following:***
- ***North of the Wyong River from Tacoma in the east to the F3 Freeway in the west;***
 - ***East of the F3 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964;***
 - ***South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 400 DP 1114793, Lot 1 DP 411020, Lot 3 DP 607756 and Lot 1 DP 1090455 (these lots being to the north of the Pacific Highway); and***
 - ***The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.***
- 7 ***That Council authorise the General Manager to borrow up to a total of \$18.575m from approved institutions as outlined in this report.***

BACKGROUND

Chapter 13, pt 2, section 406 of the relevant *Local Government Act 1993* (the Act) requires Council to adopt a Management Plan prior to 30 June each year.

On 1 October 2009 the Act was substantially amended to introduce the Integrated Planning regime for strategic planning. Those amendments provided for the staged introduction of a new strategic planning system.

Under the new Integrated Planning program Wyong Shire Council was originally a "Group 2" Council, but subsequently applied for and was granted classification as a "Group 3" council which means that Wyong must fully implement the new Integrated Planning regime on 1 July 2012.

As a Group 3 Council, Wyong can use the new integrated planning-based format for the Plan, but until 1 July 2012 is required to exhibit the document in accordance with the previous requirements for the Management Plan.

2.3 Adoption of the Wyong Shire Council Strategic Plan (2011-2015) (incorporating the Annual Plan and 4 Year Delivery Plan) (contd)

Council formulated the Wyong Shire Council Strategic Plan (2011-2015) (the Plan) in accordance with the Act and requirements of the Division of Local Government. The draft Plan was exhibited for four weeks from for May until 1 June, 2011.

Council has considered all submissions in accordance with the Act.

Council had substantial operating losses for the past five years peaking with an operating shortfall of \$30m in 2009/10. This situation has arisen from a combination of many factors including:

- Rate capping by State government since the 1970s. In the 10 years from 1995-2005, rates in NSW increased by a mere 25% compared with CPI increases over the same period of 56%.
- Increased demand and expectations for community services.
- Cost shifting where other levels of government have transferred responsibilities to local government without financial compensation (e.g. emergency services, weed management, collecting waste levies etc.).
- A growing population within Wyong Shire.
- Need for maintenance and replacement of assets. Almost all NSW councils find the way they have planned, managed and appreciated roads, bridges and buildings in the past is inadequate.

CURRENT STATUS

The Plan (proposed) has a new look and feel. The Plan enhances the State government's minimum requirements by providing an improved display of the connection between Council's Plan and the Community Strategic Plan (formerly the Shire Strategic Vision) (i.e. Council's intended contribution to the community).

The Community Strategic Plan (2030) (formerly the Shire Strategic Vision) has been updated as a concurrent process in formulating the Plan - both documents have been exhibited and reported to Council simultaneously for adoption.

Council has formulated the Plan using the format, terminology and approach of the integrated planning process. The legislation and DLG guideline requirements are listed in Table 1.

Submissions

Council has considered all thirty-seven (37) submissions received in detail and resolved that no changes to the draft Plan are required as a result of their consideration

Table 1: Compliance with DLG Content Requirements

Summary of Legislative & DLG Requirements	Response in the Plan
4 Year Delivery Plan (called "Delivery Program" in legislation)	
Must address the objectives and strategies of the Community Strategic Plan.	Clear linkages are shown in the Plan (Appendix 1)
Must inform and be informed by the Resourcing Strategy	Part 3 of the Plan includes, and is integrated with, the three strategies that form the "Resourcing Strategy".
Must address the full range of Council operations.	Covers all 12 Principal Activities of Council
Must allocate high-level responsibilities for each action or set of actions	Each Principle Activity identifies products delivered by specified Service Units within Council.
Financial estimates for the four year period	Included in Plan under the heading "Financial Information 2011-2015)
Must consider priorities and expected levels of service derived during formulation of the Community Strategic Plan	Considered as outlined in Appendix 1
Annual Plan (called "Operational Plan" in legislation)	
Must include the Statement of Revenue Policy .	Appendix 8 in Plan
Must be accompanied by a map showing where various rates apply.	Contained in Appendix 8 in Plan
Must be a sub-plan of a Delivery Program	The Plan includes both the Annual Plan and the 4 Year Delivery Program.
Must allocate responsibility for each project, program or activity	Each Principal Activity identifies products delivered by specified Service Units within Council.
Must identify suitable measures to determine the effectiveness of projects, programs and activities.	Included under the heading "Key Performance Indicators & Service Performance Indicators"
Must include a detailed budget for that year.	Included in Plan

PROPOSAL

The Plan (as proposed) has been formulated to provide a robust pathway to long-term financial sustainability that ensure Wyong Shire Council:

- Has an ongoing ability for the next five years to fund its current level and/or chosen level of services.
- Can maintain its assets at optimal condition given the service levels required by Council
- Has the ability to meet the financial impact of any likely significant unplanned event (e.g. major flooding).

A key theme present in the Plan is the reflection of a significant change in the culture of the organisation that will enable Council to improve its responsiveness to the community's evolving needs.

It is believed that community needs require a "fit and agile" organisation able maximises its service delivery effectiveness.

The Plan provides:

- Identification of how Council will continue to supply the community with diverse essential services under its 12 Principal Activities that no one else can do, should do or is willing to provide (e.g. sewerage services, waste collection, information, regulatory services etc.).
- An enhanced presentation of the service portfolio.
- Detail the necessary resourcing strategies needed to deliver the program of services and
- A programme for the renewal, replacement and maintenance of assets.
- A single point of reference for the 12 Principal Activities to be undertaken by Council during 2011/2012 through to 2015.
- Identification of the assets and workforce that will deliver these activities for 2011/2012 and beyond and the revenue strategies to provide for Council's funding of services.
- Information to the community about the wide range of Council's activities and services.

Construction of the Plan

The major elements of the Plan are:

- Council's contribution to the Community Strategic Plan,
- 4 Year Delivery Plan,
- Annual Plan,
- Major Projects,

2.3 Adoption of the Wyong Shire Council Strategic Plan (2011-2015) (incorporating the Annual Plan and 4 Year Delivery Plan) (contd)

- Key Performance Indicators,
- Budget for 2011/12 and budget projections for the following three years (including a capital works program, fees and charges),
- Asset Management Strategy (including an Asset Management Policy),
- Workforce Management Strategy,
- Long Term Financial Strategy and
- Statement of Revenue Policy (including Fees and Charges).

Major features of the Plan

- Annual Plan and 4 Year Delivery Plan budgets based on clear deliverables and affordability of services (i.e. living within the income available).
- Recognition that the pathway from deficits to achieving financial break-even will take time (estimated to be achieved in 2015).
- Recognition that achieving a desirable balance in the condition and functionality of Council's operating assets will also take time, but starts with this Plan.
- Development and expansion of revenue programs and sources.
- Reduction of the operating budget shortfall from \$30m in 2009/\$2010 to \$15m in 2011/2012 and projections for years two to four (the future years) that show decreasing deficits to achieve a balanced budget in 2014/2015.
- A capital works budget of \$85m for 2011/2012.
- Increased spending on roads and bridges.
- Increased spending on essential services.
- Decreased spending on non-critical functions and activities.
- Introduction of a new Stormwater Management Charge for properties west of the freeway.
- An increase in the domestic waste charge to \$417 per rateable property.
- Re-organisation of Council's accounting system to reflect a widely accepted "built-up" approach to organisational budgeting.
- Principal Activity and Service costs based on the "fully-absorbed" methodology to allow for transparent recovery of costs through income.
- Continuation of the waste remediation and land-fill remediation programs.
- Acknowledgment of the impact of establishment of the Central Coast Water Corporation.
- An increase in the general rate of 2.8% as struck by the NSW State Government.
- Increased fees and charges (generally 5% overall with some significant exceptions based on cost recovery and user-pays principles).

Changes from 2010-11 Annual Plan

The format for the WSC Strategic Plan (2001-2015) differs from the 2010-11 Annual Plans in that it:

- Uses a new set of Principal Activity classification which bear no connection with past plans. The new service groupings make up and reflect the 12 Principal Activities that Council undertakes in making its contribution to the Community Strategic Plan.
- Clearly lays out Council's contribution to the Community Strategic Plan.
- The Plan uses a "fully-absorbed" costing methodology as opposed to the former allocation method of budgeting.
- Includes both a 1 year Annual Plan and a 4 Year Delivery Plan.
- Is driven by (and linked to) a Resourcing Strategy not previously articulated and made up of:-
 - Asset Management Strategy,
 - Workforce Management Strategy and
 - Long Term Financial Strategy.

CHANGES (proposed) FROM THE DRAFT PLAN (as exhibited)

Council has previously considered possible changes to the draft Plan arising from exhibition.

In addition, the following significant change is proposed:

Principal Activity 6 -- Environment & Land Use (p. 55)

- A new Service entitled "6.4 Environmental Planning Major Projects" has been created to ensure that the Estuary Management and Sustainability programs are reported under the Annual Plan and 4 Year Delivery Plan. These programs are Major Projects with designated time frames within the Department of Environment & Planning Services. The Sustainability program includes Council's climate change initiatives. These programs were previously included in the budget, but contained within other services

Impact on Typical Ratepayer Table (p. 78)

The "Impact on Typical Ratepayer" table on page 78 has changed. This is due to water, sewer and drainage charges changing since the draft Plan was exhibited.

These charges were subject to March 2011 quarter Consumer Price Index (CPI) increases which were estimates in the exhibited draft Plan.

Table 3 displays the revised table including the changes as adopted by Council on 25 May, 2011 and final CPI increases.

The increase for the typical residential ratepayer as shown in Table 3 is \$132.26 per year or \$2.54 per week. The overall rise in the cost of rates is due mostly to domestic waste and other water costs.

Table 3: Impact of 2011/2012 Budget on Typical Residential Ratepayer

Typical Ratepayer	2010/2011	2011-2012 Draft Plan	2011-2012 Final	Increase \$	Increase %
Median Valuation	\$157,000	\$157,000	\$157,000	\$0	0.00%
General Rates	\$686.46	\$692.42	\$696.59	\$10.13	1.47%
Domestic Waste	\$348.50	\$417.00	\$417.00	\$68.50	19.66%
Stormwater Management	\$25.00	\$25.00	\$25.00	\$0.00	0.00%
Water Access	\$136.05	\$156.85	\$157.53	\$21.48	15.79%
Sewerage	\$437.39	\$448.12	\$450.31	\$12.92	2.95%
Drainage	\$84.72	\$86.80	\$87.23	\$2.51	2.96%
Sub-Total	\$1,718.12	\$1,826.19	\$1,833.66	\$115.54	6.72%
Water Usage (152Kl)	\$284.24	\$299.44	\$300.96	\$16.72	5.88%
Total	\$2,002.36	\$2,125.63	\$2,134.62	\$132.26	6.61%

Consolidated Revenue by Category Pie Chart (p. 80)

The "Profit & Lost Budget -- Consolidated" table on page 82 is an accurate reflection of revenue by various categories. The "2011/12 Consolidated Revenue by Category" pie chart on page 80 of the draft Plan, has been corrected for the revenue amounts in the following two categories:

- Capital Grants & Contributions -- "\$37.3m" should have read "\$18m"
- Operating Grants & Contributions -- "\$31.2m" should have read "\$27.2m"

Sustainability Framework (p. 209)

Sustainability principles outlined in "Appendix 3 -- Wyong Shire Operating Principles" have been expanded to include the full definition of Council's and the community's sustainability principles and a subheading inserted on page 12 under the heading "The Business of Wyong Shire Council". The purpose is to raise the profile of sustainability and ensure that the sustainability framework is fully articulated.

Proposed Variations to Rates & Charges (p. 223 - 251) –

In Appendix 8: The Statement of Revenue Policy the rates in the dollar have changed slightly from those included in the Exhibition Draft due to changes to property valuation lists and movements between rating categories that occurred during the exhibition period. The final Rates proposed are shown in Table 4.

Table 4: Comparison of Rates and Charges (2011/2012) (post exhibition changes highlighted)

	Unit of Charge per \$ land value	2010-11 Actual	2011-12 Draft Plan	2011-12 Final Plan	Est. Yield
Ordinary Rates					
Farmland	Cents	0.1953	0.2004	0.2004	\$292,000
Residential	Cents	0.3366	0.3409	0.3405	\$51,690,000
Mining	Cents	3.7399	7.6885	7.6885	\$583,000
Business	Cents	0.6130	0.6300	0.6300	\$6,861,000
Business – Major Retail	Cents	N/A	0.9450	0.9450	\$850,000
Base Amount – all Ordinary Rates	Ea.	\$158.00	\$162.00	\$162.00	Included above
Special Rates					
The Entrance Town Centre	Cents	0.2238	0.2303	0.2360	\$796,000
Non Residential Properties Toukley Area	Cents	0.2134	0.2228	0.2228	\$147,000
Non Residential Properties Wyong Area	Cents	0.0874	0.0908	0.0910	\$66,000
Base Amount – all Special Rates	Ea.	\$71.00	\$73.00	\$73.00	Included above

Service Product	Unit of Charge	2010-11 Actual	2011-12 Draft Plan	2011-12 Final Plan	Est. Yield
Domestic Waste Management					
Availability	Ea.	\$ 51.75	\$55.00	\$55.00	\$107,000
Domestic Waste Management - Service	Ea.	\$348.50	\$417.00	\$417.00	\$24,360,600
Domestic Waste Management – West of F3	Ea.	\$286.20	\$350.00	\$350.00	\$529,400
240 litre upgrade	Ea.	\$ 76.50	\$125.00	\$125.00	\$74,400
Additional 240 litre waste bin	Ea.	\$287.60	\$378.00	\$378.00	\$25,100
Additional 140 litre waste bin	Ea.	\$188.90	\$255.00	\$255.00	\$563,200
Additional 240 litre recycling bin	Ea.	\$63.40	\$67.00	\$67.00	\$166,900
Additional 240 litre vegetation bin	Ea.	\$ 75.70	\$67.00	\$67.00	\$116,300
Additional Short Term Extra Service – 140 litre waste bin	Per service	\$ 13.35	\$14.70	\$14.70	\$1,000
Additional Short Term Extra Service – 240 litre waste bin	Per service	\$ 14.10	\$15.50	\$15.50	\$1,000
Additional Short Term Extra Service – recycling bin	Per service	\$ 12.35	\$14.70	\$14.70	\$1,000
Additional Short Term Extra Service – vegetation bin	Per service	\$ 13.00	\$14.70	\$14.70	\$500

2.3

**Adoption of the Wyong Shire Council Strategic Plan (2011-2015)
(incorporating the Annual Plan and 4 Year Delivery Plan) (contd)**

Waste Management (non domestic)					
140 litre waste bin	Ea.	\$ 204.70	\$255.00	\$255.00	\$459,500
240 litre recycling bin	Ea.	\$ 63.40	\$67.00	\$67.00	\$158,200
240 litre vegetation bin	Ea.	\$ 75.70	\$67.00	\$67.00	\$12,900
240 litre waste bin	Ea.	\$ 311.40	\$378.00	\$378.00	\$800,800
660 litre waste bin	Ea.	\$1,242.00	\$1,550.00	\$1,550.00	\$4,700
1.1 cubic metre waste bin	Ea.	\$1,794.00	\$2,164.00	\$2,164.00	\$200,100
1.5 cubic metre waste bin	Ea.	\$2,422.00	\$2,913.00	\$2,913.00	\$108,300

Stormwater Management Charge	Unit of Charge	2010-11 Actual	2011-12 Draft Plan	2011-12 Final Plan	Est. Yield
Residential	Per property	\$25.00	\$25.00	\$25.00	\$1,325,300
Residential Strata	Per lot	\$12.50	\$12.50	\$12.50	\$83,500
Residential Company Title	Per company title complex apportioned according to shareholding	\$25.00	\$25.00	\$25.00	Nominal
Business	Per 850 m ² or part thereof – maximum charge of \$5,000	\$25.00	\$25.00	\$25.00	\$352,800
Business Strata	Per 850 m ² or part thereof - maximum charge of \$5,000 Apportioned equally per lot	\$25.00	\$25.00	\$25.00	\$17,400

Fees & Charges (p. 257 - 292) -- In Appendix 8: The Statement of Revenue Policy

A number of changes to Fees & Charges arose during the exhibition period due to typographical errors and the misalignment of fees (within the register of the table) in the exhibition document. These changes are listed in Attachment 1.

Additional Changes and Notes

- Attachment 2 lists all proposed changes proposed to the exhibited Plan with the exception of minor format and typographical amendments.
- An increase in expenditure during 2011/2012 for the Graffiti Removal program from the current \$50,000 to \$100,000 as resolved by Councillors will be implemented during the first quarter review of the 2011/2012 budget.

STRATEGIC LINKS

- **Link to Community Strategic Plan**

The WSC Strategic Plan (2011-2015) clearly shows what Council intends to do during 2011/2012 and in the subsequent three years to achieve the community's priorities outlined in the updated Community Strategic Plan (2030) through specific service delivery while at the same time ensuring that there is "best value" provision of essential community services.

- **Financial Implications**

The WSC Strategic Plan (2011-2015) provides for a sustainable pathway toward operating "break-even" point by 2015. Any departure from planned expenditure programs will have a negative affect on that target unless balancing (i.e. cost savings) strategies accompany changes in expenditure priorities.

- **Principles of Sustainability**

The WSC Strategic Plan (2011-2015) identifies the 10 Sustainability Principles on which Council bases its operations. It is been formulated to clearly identify the services contributing to the sustainability's "quadruple bottom line" of the environment, economy, society and civic leadership. It pays particular attention to addressing issues impacting the long-term financial sustainability of Council.

CONSULTATION

Formulation of the first Wyong Shire Council Strategic plan required extensive consultation with Councillors, Council staff and the community. Community consultation was in accordance with an approved Community Engagement Strategy. This engagement and all submissions received during the public exhibition period are the subject of a separate report to Council that precedes this report seeking adoption of a Plan.

Staff at Gosford City Council and the Division of Local Government were consulted during the exhibition period to ensure that the process met State government requirements and as far as practicable provided a consistent approach for the Central Coast.

GOVERNANCE

This first WSC Strategic Plan (2011-2015) is a significant milestone in implementing the integrated planning framework and providing an improved structured approach to civic leadership and governance.

The Strategic Plan provides a clear roadmap for activities of major projects. It identifies the assets, workforce and financial resources necessary to achieve it and various programs and provides a system for measuring and monitoring the results over the course of the plan.

2.3 Adoption of the Wyong Shire Council Strategic Plan (2011-2015) (incorporating the Annual Plan and 4 Year Delivery Plan) (contd)

CORPORATE RISKS

Formulation and adoption of Council's Strategic Plan (2011-2015) provides clear direction for the upcoming financial year and beyond. The accompanying asset, workforce and financial strategies ensure that limited resources are allocated on a priority basis and are available to maintain essential community services while providing programs for the forthcoming year. In so doing, it mitigates significant risks arising from ad hoc decision-making and provides long-term direction.

CONCLUSION

Council has formulated the first Wyong Shire Council Strategic Plan in accordance with the integrated planning process in a new seamless structure that complies with legislation .

Council has re-assessed its service priorities for each of its 12 Principal Activities and included those changes in the Plan by way of matching expenditure intended for the coming years.

Council has determined that it will only provide services within its available income (i.e. living within its means).

There is a seamless and direct hierarchical connection between the Community Strategic Plan, Council's strategies as a business and the services that it will provide to the community.

The draft Plan has been exhibited as required in accordance with the previous legislation and Council has considered all submissions received in response to the exhibition.

Changes to the draft plan as recommended by staff will correct drafting and typographical errors, help clarify a number of points that were not clear in the draft document and update information provided in the Plan. The revised WSC Strategic Plan (2011-2015) is forwarded with a recommendation for adoption.

ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | Table of Amended Fees (2011 -2015) | D02642639 |
| 2 | Wyong Shire Council Strategic Plan (2011-2015) (D02647202
- Distributed under separate cover) | Enclosure |
| 3 | Amendments relating to the Exhibited Draft WSC Strategic
Plan (2011-2015) | D02644525 |

**Amended Fees (2011/2012)
(post exhibition)**

Item Number	Wording included in the Draft Strategic Plan	Revised wording of the item in the Draft Strategic Plan	Draft fee	Proposed adopted fee
7.01	Bond	Bond – for non Community groups	\$500.00	\$500.00
8.25	Professional services – per hour		\$155.00	150.00
8.25	Technical/inspections services – per hour		110.00	130.00
9.04	Original Application Fee \$170 or less – Re-advertising fee will apply if required		Nil	\$50.00
9.04	Original Application Fees \$171 or more - 50% of the original fee - Minimum fee \$105.00			50% of the original fee - Minimum fee \$105.00
9.05	The maximum fee payable for the purpose of one or more advertisements signs (As required by DCP 2005 Chapter 70) - Base rate \$215.00 plus \$70.00 for each advertisement in excess of one	The maximum fee payable for a development application for one or more advertising signs (As required by DCP 2005 Chapter 70) - Base rate \$215.00 plus \$70.00 for each advertisement in excess of one	\$285.00 base rate	\$215.00 base rate
9.08	Lodgment and recording of private subdivision certificates		30.00	36.00
9.18	\$500,001 to \$1,000,000 – base rate \$2,200 plus 0.2% of the amount in excess of \$500,000	9.18 \$500,001 to \$1,000,000 - Fee proposal to be obtained from Council	TBA	
9.26	Additional Fees are Payable for Advertised Development - Council will refund the amount of the fee paid under this section that is not spent in giving the notice.			
	Designated Development		1,665.00	2,220.00
10.03	Modification of a consent for local development or State significant development			
	Plus an additional amount of not more than \$500 if notice of the application is required to be given under section 96(2) or 96AA(1) of the EP&A Act.	Plus an additional amount of not more than \$665 if notice of the application is required to be given under section 96(2) or 96AA(1) of the EP&A Act.	TBA	

Item Number	Wording included in the Draft Strategic Plan	Revised wording of the item in the Draft Strategic Plan	Draft fee	Proposed adopted fee
	An additional fee, not exceeding \$600, is payable for residential flat development to which clause 115 (1A) EP&A Reg 2000 applies	An additional fee, not exceeding \$760, is payable for residential flat development to which clause 115 (1A) EP&A Reg 2000 applies	TBA	
	Does involve erection, carrying out work or demolition of a building < \$100,000		\$150.00	\$190.00
10.04	The fee for the extension of a development consent		295.00	300.00
10.06	The fee for a planning certificate			
	Fee for Certificate under s149 (2) of the EP&A Act		40.00	53.00
	Fee for Certificate under s149 (2) & (5) of the EP&A Act		100.00	133.00
	Fee for certificate indicating ability to utilise SEPP (exempt and complying developments codes) 2008		40.00	53.00
10.07	Fee for a Building Certificate 149B			
	Part Building - No Floor Area		210.00	250.00
10.11	Preliminary assessment of development proposal prior to lodgment			
	Where estimated value is \$1.0m or less	Where estimated value is \$1.0m or less - Base rate \$320.00 plus minimum \$150 per hour (Planning, Arborist, Health & Building Surveyor, Engineering and Ecologist) and/or minimum \$350 per hour (Manager DAU, Director, General Manager)		320.00 Base rate
	Where estimated value is greater than \$1.0m or less	Where estimated value is greater than \$1.0m - Base rate \$640.00 plus minimum \$150 per hour (Planning, Arborist, Health & Building Surveyor, Engineering and Ecologist) and/or minimum \$350 per hour (Manager DAU, Director, General Manager)		\$640.00 Base rate
10.17	Rezoning Applications - Phase 1 Fee (Lodgment Fee)			

Item Number	Wording included in the Draft Strategic Plan	Revised wording of the item in the Draft Strategic Plan	Draft fee	Proposed adopted fee
	Rezoning Applications - Phase 2 Fee - Base rate Initial fee \$8,808.00 If staff time exceeds 60hrs then a rate of \$146.80 (Professional) or \$104.40 (Technical/Admin) per hour is payable by the proponent for additional hours.	Rezoning Applications - Phase 2 Fee - Base rate Initial fee \$8,808.00 If staff time exceeds 60hrs then a rate of \$150.00 (Professional) or \$130.00 (Technical/Admin) per hour is payable by the proponent for additional hours.	\$8,808.00 Base rate	\$8,808.00 Base rate
	Rezoning Applications - Phase 3 Fee - Base rate Initial fee \$5,872.50. If staff time exceeds 40hrs then a rate of \$146.80 (Professional) or \$104.40 (Technical/Admin) per hour is payable by the proponent for additional hours.	Rezoning Applications - Phase 3 Fee - Base rate Initial fee \$5,872.50. If staff time exceeds 40hrs then a rate of \$150.00 (Professional) or \$130.00 (Technical/Admin) per hour is payable by the proponent for additional hours.	\$5,872.50 Base rate	\$5,872.50 Base rate
10.30	Fire Safety Audit		120.00	130.00
11.04	Impounding - Other Animals			
	Daily sustenance		Market price	\$55.00
	Veterinary Care		\$55.00	Market price
13.12	Swimming Pools - per property		120.00	130.00
19.11	Floodlights - Electrical & Maintenance charge per pitch per night			
	Floodlights maintenance – level 1	Floodlights – level 1	28.00	28.00
	Floodlights maintenance – level 2	Floodlights – level 2	22.40	22.40
	Floodlights maintenance – level 3	Floodlights – level 3	14.00	14.00
19.12	Netball Courts - Baker Park Complex			
	Competition and Seasonal - Baker Park Complex – Saturday or Sunday	Seasonal day - Baker Park Complex - Saturday, Sunday or permanent booking midweek	\$2,410.00	\$2,410.00
	Seasonal training fee - Baker Park - per night – training fees cover the period from 4pm to 9.30pm	Seasonal night - Baker Park - per night - fees cover the period from 4pm to	\$723.00	\$723.00

Item Number	Wording included in the Draft Strategic Plan	Revised wording of the item in the Draft Strategic Plan	Draft fee	Proposed adopted fee
		9.30pm		
22.02	Town Centres - Outdoor Eating Areas			
	All Areas (excluding The Entrance Town Centre) per chair, per week		1.50	1.35
24.01	Mixed waste			
	Minimum Charge for mixed waste to landfill up to 60kg - each		12.60	12.80
24.07	Special Waste			
	Minimum charge for special waste up to 60kg - each			12.80

Changes relating to the Exhibition DRAFT Wyong Shire Council Strategic Plan 2011-2015

Page No	Section	Submission
1	Front page	Take out the "The" Remove the Exhibition DRAFT
12	Intervention Graph	Intervention graph to be included into the plan
209	Appendix 3 Wyong Shire Operating Principles	Sustainability Framework Adjusted and moved towards the front of the document
122	Key Performance Indicators & Service Performance Indicators	The look of the KPIs was changed to make them clear to understand no change to the data
223	Appendix 8 - The Statement of Revenue Policy	Changes to the Fees and charges - Separate list
80	Revised Revenue Chart	Insert new pie graph New photos of staff undertaking their tasks throughout the document
62	Principal Activity 12 Administration - 12.3 Corporate Governance	Remove dot point - Potential to raise revenue for Civic Centre parking (Council staff only) from the 4 year delivery plan
202	Appendix 2 - Strategic Planning Inputs	Adjust the products and services names to match the Business Unit plans eg: Change Legal Services to Legal & Risk Services
55	Principal Activity 6 - Environmental & land Use	Created a Service 6.4 Environment Planning Section - Major Projects so as to incorporate Estuary Management and Sustainability within Council
24	Principal Activity 8 - Roads	The figures indicated in kms (roads, kerbing & gravel roads) were incorrect and have now been adjusted
78	Typical Residential Ratepayer	Adjustment to the figures

2.4 Making and Fixing of Rates and Charges for 2011-12

TRIM REFERENCE: F2004/07006 - D02608925

AUTHOR: Darryl Telfer; Revenue Accountant

MANAGER: Greg Ashe, Manager Finance

SUMMARY

Subject to the adoption by Council of the Strategic Plan 2011-12 including Estimates of Income and Expenditure, Council is to formally make the 2011-12 rates and charges for the period 1 July 2011 to 30 June 2012.

RECOMMENDATION

- 1 ***That Council make the following ordinary rates for 2011-12 consisting of a base amount to which an ad valorem amount is added, pursuant to Sections 492-494, 497-500, 535-537 of the Local Government Act 1993:***

Ordinary Rate Category Under Section 493	Ordinary Rate Sub Category Under Section 529	Base Amount	% revenue sourced from base amount for each category	Ad Valorem Amount (cents in the \$)
Farmland		\$162.00	7.69%	0.2004
Residential		\$162.00	19.33%	0.3405
Mining		\$162.00	0.10%	7.6885
Business		\$162.00	6.11%	0.6300
Business	Major Retail	\$162.00	0.48%	0.9450

- 2 ***That Council make the following special rates and amounts for 2011-12 consisting of a base amount to which an ad valorem amount is added, pursuant to Sections 492, 495, 497-500, 535-538 of the Local Government Act 1993:***

Special Rate	Base Amount	% revenue sourced from base amount for each Special Rate	Ad Valorem Amount (cents in the \$)
The Entrance Town Centre	\$73.00	13.08%	0.2360
Non Residential Properties Toukley Area	\$73.00	10.04%	0.2228
Non Residential Properties Wyong Area	\$73.00	17.81%	0.0910

- 3 That Council adopt the following descriptions of rateable land to which each special rate will apply for 2011-12, pursuant to Section 538 of the Local Government Act 1993:**
- a The Entrance Town Centre Special Rate will apply to the following rateable land:**
- i All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as The Entrance.**
 - ii All land used as Major Facilities servicing tourists including Service Stations, Camp or Caravan Sites, Registered Clubs, Tourist Accommodation and Hotels/Motels as defined in Council's current Local Environmental Plan (LEP) and District Shopping Centres as defined in Council's current Retail Strategy in the suburbs known as The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoona Bay, Shelly Beach, Bateau Bay and Magenta.**
 - iii All land used as rental accommodation and which is categorised as Residential under Section 516 of the Local Government Act, 1993 which is rented or leased for periods of three months or less in the suburbs known as The Entrance North, The Entrance, Blue Bay and Toowoona Bay.**
- b The Non Residential Properties Toukley Area Special Rate will apply to all rateable land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in suburbs known as Toukley, Canton Beach, Noraville and Norah Head.**
- c The Non Residential Properties Wyong Area Special Rate will apply to all rateable land used for business purposes and categorised as such in accordance with Section 518 of the Local Government 1993 in the following areas:**
- i The suburb known as Watanobbi.**
 - ii The suburb known as Wyong, bounded by the following:**
 - North of the Wyong River from Boyce Avenue in the east to the F3 Freeway in the west.**
 - East of the F3 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964.**
 - South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 400 DP 1114793, Lot 1 DP 411020, Lot 3 DP 607756 and Lot 1 DP 1090455 (these lots being to the north of the Pacific Highway).**
 - The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.**

- 4 That Council make the following schedule of annual charges for stormwater management services for 2011-12, pursuant to Sections 496(A) and 510(A) of the Local Government Act 1993:

Stormwater Management Charge	Unit of Charge	Charge
<i>Residential</i>	<i>Per property</i>	<i>\$25.00</i>
<i>Residential Strata</i>	<i>Per lot</i>	<i>\$12.50</i>
<i>Residential Company Title</i>	<i>Per Company Title complex apportioned according to the number of shares in the company owned by each shareholder</i>	<i>\$25.00</i>
<i>Business</i>	<i>Per 850 square metres or part thereof of the land area of the property to a maximum of \$5,000 per property</i>	<i>\$25.00</i>
<i>Business Strata</i>	<i>Per 850 square metres or part thereof of the land area of the strata complex to a maximum of \$5,000 per strata complex, apportioned equally to each lot within the strata complex</i>	<i>\$25.00</i>
<i>Business Company Title</i>	<i>Per 850 square metres or part thereof of the land area of of the Company Title complex to a maximum of \$5,000 per Company Title complex, apportioned according to the number of shares in the company owned by each shareholder</i>	<i>\$25.00</i>

- 5 That Council make the following annual Domestic Waste Management Charges for 2011-12, pursuant to Section 496 of the Local Government Act 1993:

Description	Charge each
<i>Domestic Waste Management Availability Charge</i>	<i>\$55.00</i>
<i>Domestic Waste Management Charge</i>	<i>\$417.00</i>
<i>Domestic Waste Management Charge West of F3 Freeway</i>	<i>\$350.00</i>
<i>Domestic Waste Management Charge – 240 litre Waste Upgrade</i>	<i>\$125.00</i>
<i>Domestic Waste Management Charge – Additional 240 litre Waste Bin Service</i>	<i>\$378.00</i>
<i>Domestic Waste Management Charge – Additional 140 litre Waste Bin Service</i>	<i>\$255.00</i>
<i>Domestic Waste Management Charge – Additional 240 litre Recycling Bin Service</i>	<i>\$ 67.00</i>
<i>Domestic Waste Management Charge – Additional 240 litre Vegetation Bin Service</i>	<i>\$ 67.00</i>
<i>Domestic Waste Management Charge – Additional Short Term Extra Service – 140 litre Waste Bin - price per service</i>	<i>\$ 14.70</i>
<i>Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Waste Bin - price per service</i>	<i>\$ 15.50</i>
<i>Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service</i>	<i>\$ 14.70</i>
<i>Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service</i>	<i>\$ 14.70</i>

- 6 That Council continue the current policy of not providing a Domestic Waste Management service to parcels of land which have no Council approval for a residential building.

- 7 That Council make the following Waste Management Charges for 2011-12, pursuant to Section 501 of the Local Government Act 1993:

Description	Charge each
Waste Management Charge – 140 litre Waste Bin Service	\$ 255.00
Waste Management Charge – 240 litre Recycling Bin Service	\$ 67.00
Waste Management Charge –240 litre Vegetation Bin Service	\$ 67.00
Waste Management Charge - 240 litre Waste Bin Service	\$ 378.00
Waste Management Charge - 660 litre Waste Bin Service	\$1,550.00
Waste Management Charge - 1.1 cubic metre Waste Bin Service	\$2,164.00
Waste Management Charge - 1.5 cubic metre Waste Bin Service	\$2,913.00

- 8 That Council apply a proportional charge adjustment, calculated on a weekly basis, where Domestic Waste Management or Waste Management services commence or cease during the year.
- 9 That Council charge the maximum interest rate as specified by the Minister for Local Government and published in the Government Gazette in respect of overdue rates and charges levied under the Local Government Act 1993 and this interest be calculated on a daily basis using the simple interest method in accordance with Section 566 of the Local Government Act 1993, for the period of 1 July 2011 to 30 June 2012.
- 10 **Incentive Scheme**
- a That Council offer an incentive scheme for those eligible ratepayers who elect to pay, their 2011-12 Rates and Charges in full by 31 August 2011 and for those ratepayers who elect to pay by direct debit.
- b That Council implement the incentive scheme in accordance with the rules detailed in Attachment 1.
- c That Council consider a report detailing the success or otherwise of the scheme following the scheme period.

BACKGROUND

The Statement of Revenue Policy, contained in the Strategic Plan 2011-12, proposes that Council levy Ordinary Rates in accordance with the Ad Valorem method (land value x rate in the \$) with a base amount of \$162.00 for each category.

Additionally the Statement of Revenue Policy, contained in the Strategic Plan 2011-12, proposes to introduce an Ordinary Rate Sub Category in accordance with Section 529 of the Local Government Act 1993 and for that sub category to apply to the shires major retail precincts of Bay Village Bateau Bay, Lake Haven Shopping Centre and Mega Centre and Westfield Tuggerah.

In accordance with State Government Rate-Pegging Legislation, rate revenue has been increased by 2.8% in 2011-12 from that raised in 2010-11.

2.4 Making and Fixing of Rates and Charges for 2011-12 (contd)

In 2011-12 Council will be using the latest valuations from the Valuer General's Department for the calculation of ordinary rates and, where applicable, special rates. These valuations have a base date of 1 July 2008, as a general revaluation of land was undertaken in Wyong Shire for the 2009-10 rating year.

Revaluations usually occur every three years for local government rating purposes.

Special Rates

Following approval by the Minister for Local Government, Council has previously adopted the following special rates:

- * Special Rate - The Entrance Town Centre
- * Special Rate - Non Residential Properties Toukley Area
- * Special Rate - Non Residential Properties Wyong Area

When reviewing these special rates, a number of scenarios on the make-up of the rates were examined, with a base charge and an ad valorem component being adopted. This achieved an equitable distribution of rates compared to the benefit derived from expenditure of revenue raised by the respective special rates.

In terms of Section 536 of the Local Government Act 1993, it is proposed that for 2011-12 Council again levy a base charge with an ad valorem component on the above special rates. This will achieve a similar equitable distribution of the rating burden compared to the benefit derived from expenditure of revenue raised by the respective special rate.

The proposed base rate for the above special rates is to be set at \$73.00.

Stormwater Management Charge

The State Government during 2005-06, approved the provision of a new funding mechanism to improve the management of urban stormwater in NSW. The Local Government Amendment (Stormwater) Act 2005 amended the Local Government Act 1993 to allow councils the option to make a charge for the provision of stormwater management services outside their capped rate arrangements.

In accordance with the Local Government Amendment (Stormwater) Act (under Section 496(a) of the Local Government Act 1993) Council introduced a Stormwater Levy Charge in 2006-07 to provide funds towards the implementation of the Tuggerah Lakes Estuary Management Plan, as well as undertake works on the Shire's other waterways. The stormwater management works have been developed in reference to the objectives of the Hunter Central Rivers Catchment Management Authority's Draft Catchment Action Plan.

Council, in partnership with the State Government, has been studying and planning ways to maintain, improve and protect our lakes and waterways. The Shire's waterways are an integral part of our community's lifestyle and are the focus of many recreational activities including fishing, boating, cycling, walking and picnicking. Their long-term protection will ensure that they are there for current and future generations to enjoy.

The Stormwater Management Charge and will apply to all rateable properties in the Shire that have been categorised as either Residential or Business (in accordance with Sections 516 and 517 of the Local Government Act 1993). Vacant properties (ie those without impervious surfaces) are not subject to this charge.

2.4 Making and Fixing of Rates and Charges for 2011-12 (contd)

Council can only use the revenue from the Stormwater Management Charge on specific works relating to the management of stormwater, and not on its other areas of responsibility.

Rate Payment Incentive Scheme

For 2011-12 it is proposed that Council again offer a payment of \$5000 to the winner or their nominee as the prize for the 2011-12 rate payment incentive scheme.

To ensure Council gains the maximum return on the incentive scheme, in addition to those ratepayers who elect to pay their rates in full by 31 August 2011, it is proposed that those ratepayers who commit to paying their rates in full by 31 August 2011 or by quarterly instalments using the Direct Debit method also be included in the draw.

Under the Direct Debit system ratepayers authorises the transfer of funds from their Bank, Building Society or Credit Union on the date the payments are due. All payments are then received by Council by electronic funds transfer.

Previous analysis undertaken has indicated the savings to Council of around \$6.00 per assessment will be achieved by ratepayers committing to pay by this method. This is a result of the transaction cost of eight cents for the Direct Debit system compared to a cost of \$1.59 per transaction for Post Office collections.

As the greatest financial benefit to Council is for ratepayers to pay in full, it is proposed that ratepayers who elect to do so receive two tickets in the draw and that those ratepayers paying by quarterly instalments using the Direct Debit method receive a single ticket.

THE PROPOSAL

That Council formally make the rates and charges as detailed within the recommendation of this report.

OPTIONS

The proposed rates and annual charges reflect those contained in Council's in the Exhibition Strategic Plan. Any variance from the general structure of the rates and charges contained in the Exhibition Draft Annual Plan would require Council to re-exhibit the document. That in turn would significantly defer the levying and collection of 2011-12 rates and charges.

STRATEGIC LINKS

Annual Plan

The proposed rates and annual charges are the funding source of a multitude of Council's General Fund operations.

Contribution of Proposal to the Principal Activity

The proposed rates and annual charges represent approximately 40% of Council's total revenue for 2011-12.

Financial Implications

The proposed rates and annual charges will generate revenue of \$90,677,000 as detailed in the Estimates of Income and Expenditure to be considered by Council.

Principles of Sustainability

The proposed rates and annual charges underpin the economic elements within Council's proposed Annual Plan 2011-12.

CONSULTATION

Consultation with the general community has occurred through Council's Exhibition Draft Strategic Plan 2011-12.

GOVERNANCE

Council is required to formally make rates and charges prior to levying same in order to comply with the relevant provisions of the Local Government Act 1993.

CONCLUSION

The making and fixing of rates and charges is necessary to enable Council to levy and collect these revenue items in accordance with the relevant legislative requirements.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Rate Incentive Scheme Conditions Of Entry 2011-12 - Attach 1 | D02609252 |
| 2 | Comparison of Rates and Charges 2011-12 - Attach 2 | D02611785 |

RATE INCENTIVE SCHEME CONDITIONS OF ENTRY

- The competition is open to all eligible ratepayers of Wyong Shire Council who have paid all rates and charges, including arrears, by 31 August 2011 or who elect to pay their rates by direct debit. All ratepayers who meet these criteria will automatically be entered into the competition.
- Ratepayers who elect to pay in full by 31 August 2011 will receive 2 tickets, with ratepayers paying in full or by quarterly instalments using the Direct Debit method receiving a single ticket.
- The winner will be drawn at a meeting of Wyong Shire Council.
- The winner will be notified by Mail and the result will be published in a local newspaper.
- Rate payments made by Federal and State Government Departments and other public instrumentalities are not eligible to enter.

Comparison of Rates and Charges

	Unit of Charge	2010-11	2011-12 Exhibition Draft Strategic Plan	2011-12 Final Strategic Plan
Ordinary Rates				
Farmland	Cents in \$	0.1953	0.2004	0.2004
Residential	Cents in \$	0.3366	0.3409	0.3405
Mining	Cents in \$	3.7399	7.6885	7.6885
Business	Cents in \$	0.6130	0.6300	0.6300
Business – Major Retail	Cents in \$	Not Applicable	0.9450	0.9450
Base Amount – all categories	Each	\$158.00	\$162.00	\$162.00
Special Rates				
The Entrance Town Centre	Cents in \$	0.2238	0.2303	0.2360
Non Residential Properties Toukley Area	Cents in \$	0.2134	0.2228	0.2228
Non Residential Properties Wyong Area	Cents in \$	0.0874	0.0908	0.0910
Base Amount – all Special Rates	Each	\$71.00	\$73.00	\$73.00

	Unit of Charge	2010-11	2011-12 Exhibition Draft Strategic Plan	2011-12 Final Strategic Plan
Domestic Waste Management				
Availability	Each	\$ 51.75	\$55.00	\$55.00
Domestic Waste Management - Service	Each	\$348.50	\$417.00	\$417.00
Domestic Waste Management – West of F3	Each	\$286.20	\$350.00	\$350.00
240 litre upgrade	Each	\$ 76.50	\$125.00	\$125.00
Additional 240 litre waste bin	Each	\$287.60	\$378.00	\$378.00
Additional 140 litre waste bin	Each	\$188.90	\$255.00	\$255.00
Additional 240 litre recycling bin	Each	\$63.40	\$67.00	\$67.00
Additional 240 litre vegetation bin	Each	\$ 75.70	\$67.00	\$67.00
Additional Short Term Extra Service – 140 litre waste bin	Per service	\$ 13.35	\$14.70	\$14.70
Additional Short Term Extra Service – 240 litre waste bin	Per service	\$ 14.10	\$15.50	\$15.50
Additional Short Term Extra Service – recycling bin	Per service	\$ 12.35	\$14.70	\$14.70
Additional Short Term Extra Service – vegetation bin	Per service	\$ 13.00	\$14.70	\$14.70

	Unit of Charge	2010-11	2011-12 Exhibition Draft Strategic Plan	2011-12 Final Strategic Plan
Waste Management (non domestic)				
140 litre waste bin	Each	\$ 204.70	\$255.00	\$255.00
240 litre recycling bin	Each	\$ 63.40	\$67.00	\$67.00
240 litre vegetation bin	Each	\$ 75.70	\$67.00	\$67.00
240 litre waste bin	Each	\$ 311.40	\$378.00	\$378.00
660 litre waste bin	Each	\$1,242.00	\$1,550.00	\$1,550.00
1.1 cubic metre waste bin	Each	\$1,794.00	\$2,164.00	\$2,164.00
1.5 cubic metre waste bin	Each	\$2,422.00	\$2,913.00	\$2,913.00
Stormwater Management Charge				
Residential	Per property	\$25.00	\$25.00	\$25.00
Residential Strata	Per lot	\$12.50	\$12.50	\$12.50
Residential Company Title	Per company title complex apportioned according to shareholding	\$25.00	\$25.00	\$25.00
Business	Per 850 m ² or part thereof - maximum charge of \$5,000	\$25.00	\$25.00	\$25.00
Business Strata	Per 850 m ² or part thereof - maximum charge of \$5,000 – apportioned equally to each lot	\$25.00	\$25.00	\$25.00
Business Company Title	Per 850 m ² or part thereof - maximum charge of \$5,000 - apportioned according to shareholding	\$25.00	\$25.00	\$25.00